



18,  
19

## **Planning Commission Staff Report **ADDENDUM****

**TO:** PLANNING COMMISSION

**FROM:** JOSH ROGERS, PLANNER II  
(480) 503-6589, JOSH.ROGERS@GILBERTAZ.GOV

**THROUGH:** AMY TEMES, INTERIM PRINCIPAL PLANNER  
(480) 503-6729, AMY.TEMES@GILBERTAZ.GOV

**MEETING DATE:** DECEMBER 5, 2018

**SUBJECT:** A. GP18-12 BELLAMY - REQUEST FOR MINOR GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE CLASSIFICATIONS OF APPROX. 40.04 ACRES GENERALLY LOCATED AT THE SOUTHEAST CORNER OF SOUTH GREENFIELD AND EAST GERMAN ROAD FROM 16.08 ACRES OF COMMUNITY COMMERCIAL AND 23.96 ACRES OF RESIDENTIAL > 5-8 DU/ACRE TO 40.04 ACRES OF RESIDENTIAL > 3.5-5 DU/ACRE.

B. Z18-26 BELLAMY - REQUEST TO REZONE APPROX. 40.04 ACRES GENERALLY LOCATED AT THE SOUTHEAST CORNER OF SOUTH GREENFIELD AND EAST GERMAN ROAD FROM 16.08 ACRES OF COMMUNITY COMMERCIAL (CC) AND 23.96 ACRES OF SINGLE FAMILY- 6 (SF-6) TO 40.04 ACRES OF SINGLE FAMILY-DETACHED (SF-D) WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY.

**STRATEGIC INITIATIVE:** Community Livability

To allow for a diversity of residential housing.

## **RECOMMENDED MOTION**

- A. Move to recommend to Town Council approval of GP18-12, a Minor General Plan Amendment; and
- B. For the reasons set forth in the staff report, move to recommend approval to the Town Council for Z18-26, as requested, subject to the conditions listed in the staff report.

## **APPLICANT/OWNER**

Company: Lennar Arizona  
Name: Chris Clonts  
Address: 890 W. Elliot Road #107  
Gilbert, AZ 85233  
Phone: 480-273-3232  
Email: chris.clonts@lennar.com

Company: Zinke Investments LTD  
Address: 24831 S. Golfview Dr.  
Sun Lakes, AZ 85249  
Email: zinke669@gmail.com

## **BACKGROUND/DISCUSSION**

### **History**

<b>Date</b>	<b>Description</b>
<i>October 10, 2006</i>	Town Council approved the annexation of 664.77 acres (Ordinance No. 1853)
<i>March 6, 2007</i>	Town Council approved rezone of 170 acres of Agricultural (AG) and R-43 to SF-15, SF-6, SC, and CC zoning districts (Ordinance No. 1926).
<i>May 22, 2007</i>	Town Council approved zoning map correction rezoning 19 acres of SF-35 to PF/I and SF-6 (Ordinance No. 1962).
<i>October 3, 2018</i>	Planning Commission held a Study Session to discuss the proposed GP18-12 and Z18-26.

### **Overview**

Bellamy is a proposed gated residential development of approximately 40.04 gross (35.68 net) acres located at the southeast corner of Greenfield and Germann Roads (the "Site"). The Site is bordered on the north by Germann Road, the west by Greenfield Road a partially developed residential community to the east, and a mix of residential homes and undeveloped residential land to the south.

The subject site is located on an undeveloped arterial corner approximately 1.5 miles southeast of the Mercy Gilbert Medical Center and the Santan Village Marketplace. Despite being located on a prominent intersection corner that typically attracts commercial uses geared towards commuters looking to make a quick stop on the way home from work, the site has remained undeveloped since being rezoned from agriculture and low-density residential in 2007. The proposed residential development will offer two different lot sizes for an overall density of approximately 4.12 gross DU/Acre.

**Surrounding Land Use & Zoning Designations:**

	<b>Existing Land Use Classification</b>	<b>Existing Zoning</b>	<b>Existing Use</b>
North	Shopping Center	Single Family-35 (SF-35)	Germann Road then Vacant
South	Residential>0-1 DU/Acre	Single Family-43 (SF-43) and Single Family-35 (SF-35)	Vacant and Residential
East	Residential>2-3.5 DU/Acre	Single Family-10 (SF-10)	Whitewing at Germann Estates
West	Residential>3.5-5 DU/Acre and Public Facility/ Institutional (PF/I)	Single Family-6 (SF-6) PAD and Public Facility/ Institutional (PF/I)	Greenfield Road then Vacant and Hetchler Soccer Complex
Site	Community Commercial and Residential>5-8 DU/Acre	Community Commercial (CC) and Single Family-6 (SF-6)	Vacant

**General Plan**

The site's current land use designations allow for small-medium retail and office uses that would be buffered by small-medium lot size homes. The General Plan request is to amend the land use classifications from 16.08 acres of Community Commercial and 23.96 acres of Residential>5-8 DU/Acre to 40.04 acres of Residential >3.5-5 DU/Acre.

Residential Land Use - Staff notes that with a residential density of 5-8 DU/Acre, the current land use designation would permit between 120-192 dwelling units to be constructed in addition to the commercial. The applicant is proposing 165 units in their development plan.

Commercial Land Use – The residential request is a departure from what was originally envisioned, but has remained undeveloped. An abundance of commercial development is located approximately 1.5 miles to the northwest at the Santan Village Marketplace and a cursory analysis by staff has noted that the existing Community Commercial land use on minor arterials is struggling to develop. Staff also notes that an approximately 20 acres parcel located on the northeast corner of the Greenfield and Germann intersection is designated with the Shopping Center land use category.

The applicant has summarized several notable ways in which this proposal conforms to goals and policies outlined in the General Plan:

**Promoting Gilbert as a community in which to live, work, and play** by: Providing a diversity of housing opportunities within the Town through incorporation of various homesite sizes and corresponding home sizes {Land Use and Growth Areas: Goal 1, Policy 1.3}.

**Protecting existing rural residential uses from the impacts of new suburban development** by: Providing appropriate and compatible transitional homesites sizes adjacent to the north, east, and south property boundaries {Land Use and Growth Areas: Goal 2, Policy 2.2}.

**Promote Infill Development** by: Providing the community an alternative housing option in an already established area. The proposal offers a unique transitional homesite size opportunity not currently offered in this area. {Housing and Conservation: Goal 1, Policy 1.1}.

*Note: This is not a Major General Plan Amendment because the commercial land use is less than 40 acres.*

## Rezoning

The current zoning of the subject site is a combination of Community Commercial and SF-6. The applicant is proposing to eliminate the 16.08 acres of CC and 23.96 acres of SF-6 and rezone to a unified designation of Single Family-Detached (SF-D) with a Planned Area Development (PAD) overlay. The intent of the overlay is to (1) increase the maximum wall height at the pedestrian entry gate from 8' to 9'10", (2) decrease the perimeter wall height to allow for a 6'-8" separation fence along arterial right-of-ways from the required 8', and (3) reconfigure the 50'x 250' arterial corner landscape setback.

## Development Plan

The proposed development plan includes a mix of two (2) different single family lot sizes with small lots concentrated towards the arterial corner and larger lots used to buffer the surrounding large lot homes. The applicant is also increasing the backyards of the lots bordering the existing Whitewing development to the east by an additional 30' to add a significant buffer.

Circulation– the community is proposing one gated entrance off of Greenfield Road and an additional gate off of Germann Road. The applicant will be improving their half-street for Superstition Drive to the south, but will not be providing an access point to this development from that road.

## Traffic Generation

The following table, provided by the applicant, illustrates the new vehicle trips added to the street system from the new proposal compared to what is generated with the current land use.

	Daily Trips			AM Peak Hours			PM Peak Hours		
	<u>Enter</u>	<u>Exit</u>	<u>Total</u>	<u>Enter</u>	<u>Exit</u>	<u>Total</u>	<u>Enter</u>	<u>Exit</u>	<u>Total</u>
<b>Current Land Use</b>	2,819	2,819	5,638	87	53	140	273	296	569
<b>Proposed Land Use</b>	779	779	1,558	31	91	122	103	60	163
<b>Trip Difference</b>	-2040	-2040	-4080	-56	+38	-18	-170	-236	-406



The development standards are shown below with the proposed modifications in **BOLD** and deletions with a strikethrough.

**Project Data Table**

<b>Site Development Regulations</b>	<b>Required per LDC (SF-D)</b>	<b>Lot Type 1 - Proposed</b>	<b>Lot Type 2 - Proposed</b>
Minimum Lot Area (sq. ft. per DU)	3,000 sq.ft.	3,772 sq.ft.	6,600 sq.ft.
Minimum Lot Dimensions (ft.)			
Width	N/A	46'	55'
Depth	N/A	82'	120'
Maximum Height (ft.)/Stories	36/3	N/A	N/A
Minimum Building Setbacks (ft.)			
Front	10'	10'	10'
Side	0' or 5'	5' and 5'	5' and 5'
Rear	10'	10'	10'
Maximum Lot Coverage (%)			
One Story	60%	60%	60%
Two/Three Story	50%	50%	50%
Maximum separation fence height (ft.)	8'	<b>9'10"</b> <b>Solely applicable to the "Entry Theme Wall" as indicated in Exhibit 10: Wall Plan</b>	
<b>Minimum</b> Perimeter Wall Height adjacent to arterials (ft.)	8'	<b>6'8"</b>	
Arterial / Arterial Intersection Landscape	50' x 250' landscape (11,250 sq. ft. adjacent to each arterial, 22,500 sq.ft. total)	<b>Modified, adjacent to the S. Greenfield Rd. arterial, to measure no less than 210' in length and no less than 11,250 sq.ft. in area.</b>	

### **Planning Commission Study Session – October 3, 2018 – Requested Information**

*A commissioner asked that* when this case comes back before the Commission, he would be interested in hearing why they are changing this up because it is the only commercial property for a mile and a half. He also stated that Staff has traditionally been concerned with the loss of commercial. And he said that the reduction of the 50' x 250' open space is concerning.

The applicant asserts that attracting commercial users is a challenge due to the following reasons:

- Access issues – proximity to the Greenfield/Germann intersection does not allow a room to create a cut in the center median, therefore only allowing access from eastbound traffic on Germann Rd.
- Density – surrounding acre-plus existing residential development is not adequate enough to support retail development on this corner.
- Existing retail options – the proximity to the Santan Village Marketplace and existing grocery stores appear to supply this area with the necessary retail options that are needed to support the population.
- Underutilized or vacant existing Community Commercial land - Within a 3-mile radius of the site, there is approximately 31.7 acres of vacant CC land. In addition to that, there is another 29.9 acres of land currently zoned as CC that is underutilized as agricultural land. In total there is the potential to build over 61 acres of additional CC land within a 3-mile radius of the site.

An analysis completed by staff would appear to support some of the applicant's assertions. Staff's analysis suggests that in the short term, demand is not as strong as it has been in the past for this area. By contrast, over the long term, trends are moving in a favorable direction for retail development. However in general, retail trends within the subject area are more competitive compared to the Town due to their proximity to the SanTan Mall and SanTan Village Marketplace.

A cursory analysis shows that approximately 86 acres (45%) of the land designated for Community Commercial within approximately 3 miles of the subject site is undeveloped as shown in **Exhibit #8**.

*A commissioner asked where the nearest grocery stores were located.*

- The nearest grocery store is either Market and Pecos or Higley and Pecos. Refer to **Exhibit #9** for grocery store locations within the vicinity of the subject site.

## **PUBLIC NOTIFICATION AND INPUT**

The applicant has held 2 neighborhood meetings. The first meeting was held on May 1, 2018 and the second on September 25, 2018 at Campo Verde High School. Approximately 5 residents attended the first meeting and 3 attended the second. The resident's questions and concerns brought up in the meetings and in communication with staff include:

- Density is too high for this area.
- Why commercial isn't viable at this location.
- Might bring in too much traffic.
- How the Superstition Drive to the south will be developed.
- Potential for flooding to the properties south with this site developed.

The developer response is attached in **Exhibit # 6**.

### **PROPOSITION 207**

An agreement to “Waive Claims for Diminution in Value” pursuant to A.R.S. § 12-1134 was signed by the landowners of the subject site, in conformance with Section 5.201 of the Town of Gilbert Land Development Code. This waiver is located in the case file.

### **STAFF RECOMMENDATION**

- A. Move to recommend to Town Council approval of GP18-12, a Minor General Plan Amendment; and
- B. For the following reasons: the development proposal conforms to the intent of the General Plan and can be appropriately coordinated with existing and planned development of the surrounding areas, and all required public notice and meetings have been held, the Planning Commission moves to recommend approval of Z18-26 rezoning approx. 40.04 acres generally located at the southeast corner of Greenfield and Germann Roads from approx. 16.08 acres of Community Commercial (CC) and 23.96 acres of Single Family- 6 (SF-6) to 40.04 acres of Single Family-Detached (SF-D) with a planned area development (PAD) overlay. Subject to the following conditions.
  - a. Dedication to Gilbert for the Superstition Drive right-of-way that is adjacent to the Property shall be completed prior to or at the time of recordation of the final plat or sooner as required by the Town Engineer. Dedication of Superstition Drive shall extend 25 feet from the center line and from the property line on Greenfield Road 620 feet to the east. Failure to complete dedication prior to or concurrent with recordation of the Final Plat may result in reversion of the zoning to the prior zoning classification.
  - b. Dedication to Gilbert for the Superstition Drive roadway easement that is adjacent to the Property shall be completed prior to or at the time of recordation of the final plat or sooner as required by the Town Engineer. Dedication of the Superstition Drive roadway easement shall extend 25 feet from the center line and from 620 feet east of the property line on Greenfield Road to 955 feet east of the property line on Greenfield Road. Failure to complete dedication prior to or concurrent with recordation of the Final Plat may result in reversion of the zoning to the prior zoning classification.
  - c. Construction of off-site improvements to Superstition Drive adjacent to the Property shall be completed prior to issuance of a certificate of occupancy or final approval of any building constructed on the Property or at the time requested by Gilbert, whichever is earlier.

- d. At the written request of Gilbert, Developer shall dedicate all necessary easements for the roadway improvements, including easements for drainage and retention and temporary construction easements. Failure to dedicate said easements within thirty (30) days after the date of Gilbert's written request may result in the reversion of the zoning of the Property to the prior zoning classification.
- e. Developer shall create a Homeowner's Association (HOA) for the ownership, maintenance, landscaping, improvements and preservation of all common areas and open space areas and landscaping within the rights-of-way.
- f. Developer shall record easements to be owned by the HOA for pedestrian, bicycle, multi-use or trail system purposes as determined by the final plat, at the time of final plat recordation, or earlier if required by the Town Engineer. In recognition of the modifications to the underlying zoning regulations set forth herein, such easements shall be open to public access and use.
- g. The Project shall be developed in conformance with Gilbert's zoning requirements for the zoning districts and all development shall comply with the Town of Gilbert Land Development Code, except as modified by the following:

<b>Site Development Regulations</b>	<b>Required per LDC</b>	<b>Bellamy SF-D (PAD)</b>
Maximum separation fence height (ft.)	8'	<b>9'-10"</b> – solely applicable to the "Entry Theme Wall" as indicated in <b>Attachment 4 – Exhibit 4: Wall Plan</b>
Minimum Separation Fence Height adjacent to arterials (ft.)	8'	<b>6'-8"</b>
Arterial / Arterial Intersection Landscape	50' x 250' (11,250 sq.ft. adjacent to each arterial)	<b>Modified, adjacent to the S. Greenfield Rd. arterial, to measure no less than 210' in length and no less than 11,250 sq.ft. in area.</b>

Respectfully submitted,

A handwritten signature in black ink that reads "Joshua Rogers". The script is cursive and fluid, with the first letter of each name being capitalized and prominent.

Josh Rogers  
Planner

**Attachments and Enclosures:**

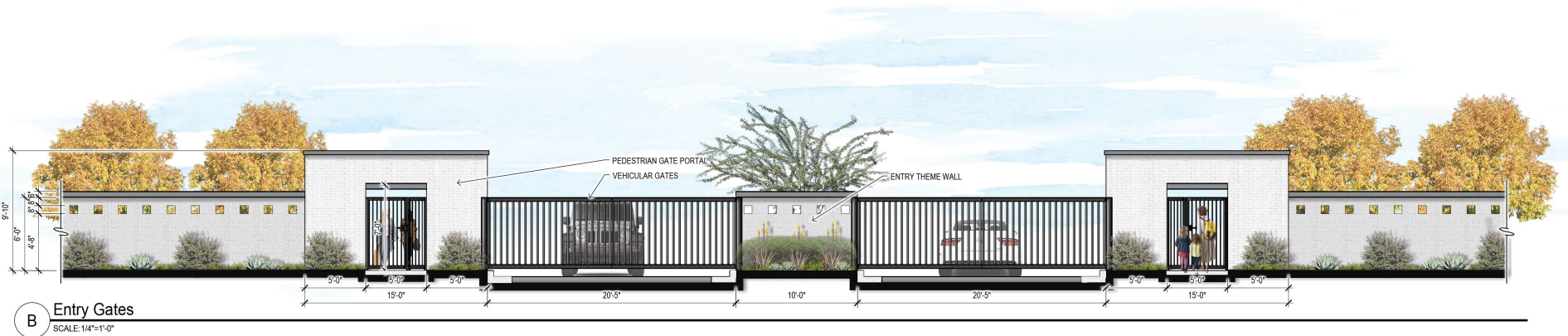
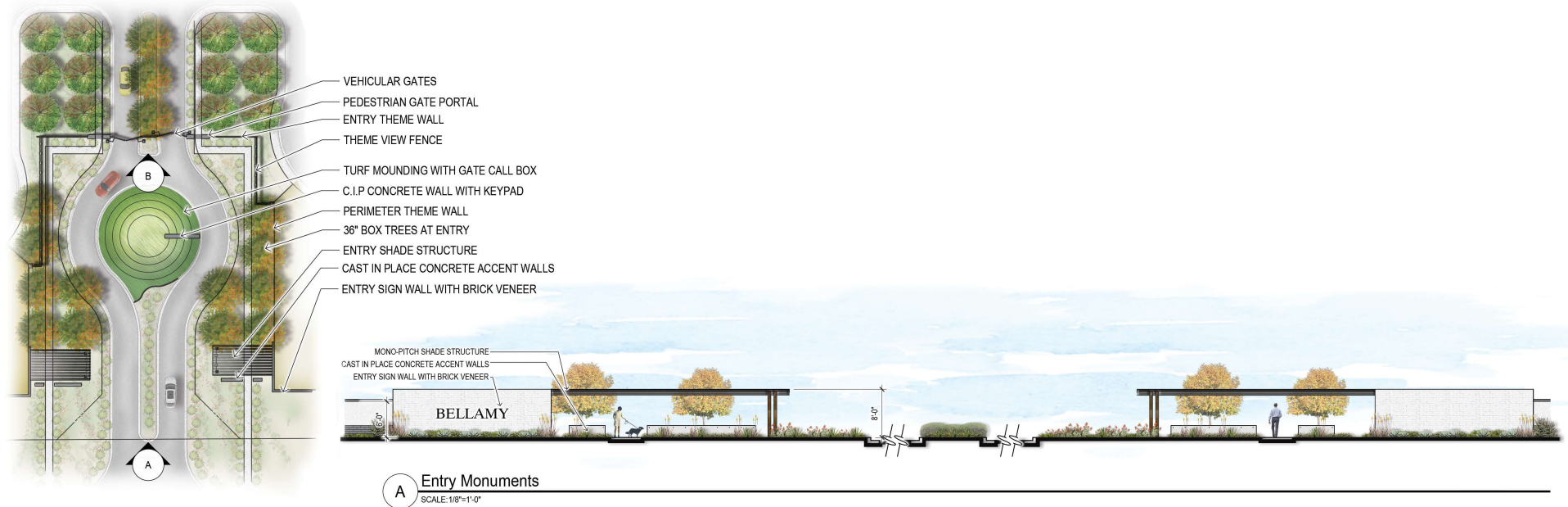
- 1) Notice of Public Hearing/Vicinity Map
- 2) Aerial Photo
- 3) Land Use Exhibit
- 4) Zoning Exhibit
- 5) Development Plan
- ~~6) Draft Ordinance~~
- 7) Developer Response to Neighborhood Meeting Comments
- 8) Local Area Community Commercial Land Use Development Status
- 9) Local Area Grocery Store Locations
- 10) Wall Plan
- 11) Landscape/Open Space Plan

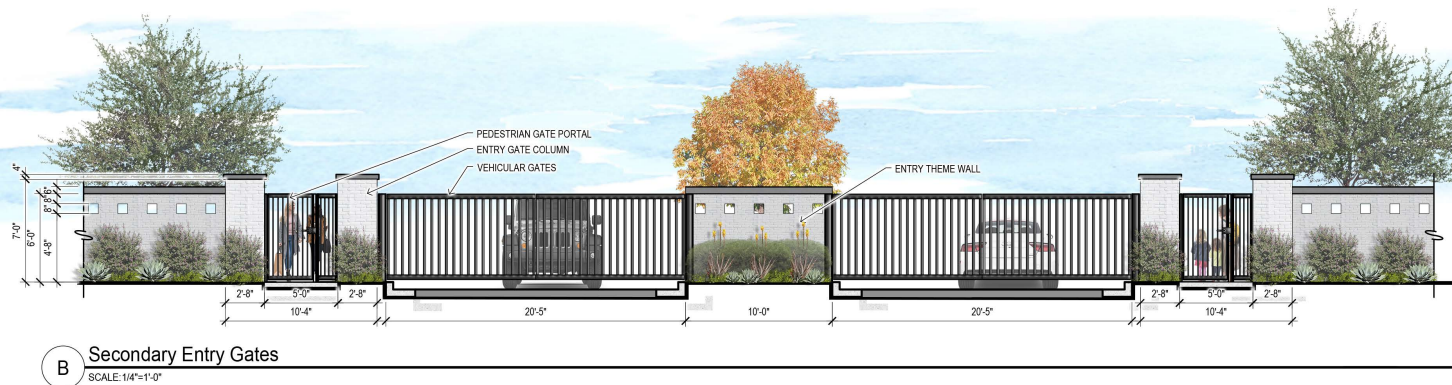
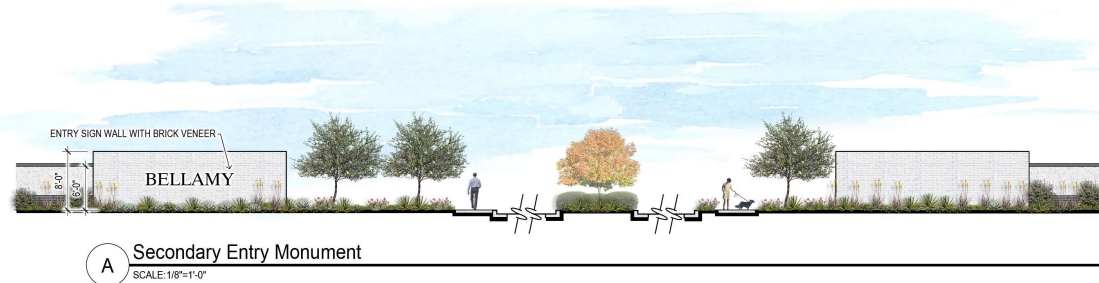
GP18-12/Z18-26 Bellamy  
Attachment 10: Wall Plan  
December 5, 2018



WALL LEGEND	DESCRIPTION
	PERIMETER THEME WALL
	INTERIOR THEME WALL
	VIEW FENCE
	ENTRY THEME WALL
	THEME VIEW FENCE
	CAST IN PLACE CONCRETE ACCENT WALLS
	EXISTING WALL
	THEME COLUMN
	MAILBOX LOCATIONS









MASONRY WALL WITH BRICK VENEER  
 CAST IN PLACE CONCRETE ACCENT WALLS  
 RIP RAP PLANTER WITH STEEL EDGING  
 MASS PLANTING OF PRICKLY PEAR

E GERMANN RD

S GREENFIELD RD

OVERHEAD POWER LINES TO REMAIN  
 MASS PLANTING OF PRICKLY PEAR  
 EXISTING POWER POLE TO REMAIN  
 SVT PER TOWN OF GILBERT DETAIL GIL-212

CAST IN PLACE CONCRETE WALLS  
 ACCENT WALL WITH PAINTED BRICK  
 VENEER AND PRECAST CONCRETE CAP



A

## Corner Enhancement

SCALE: 1/2"=1'-0"

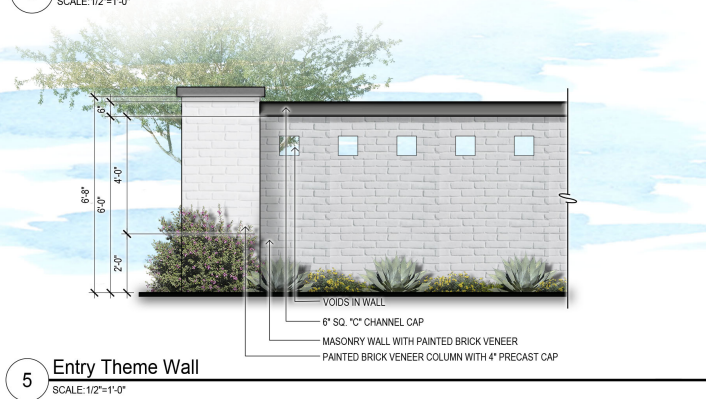
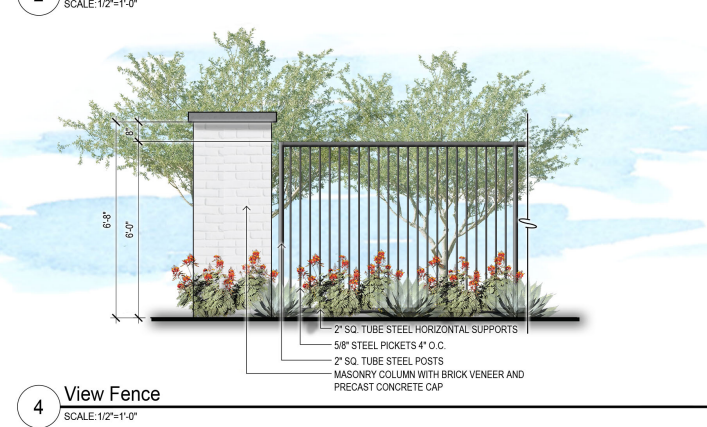
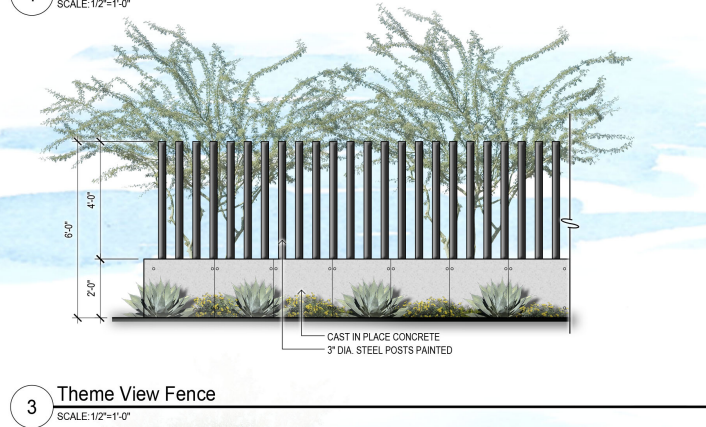
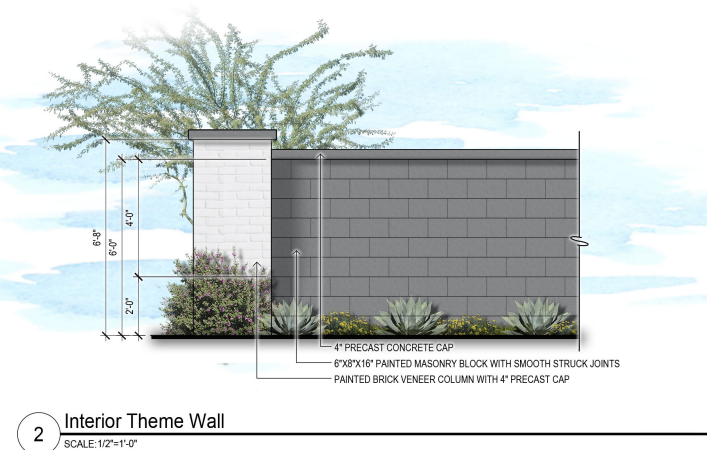
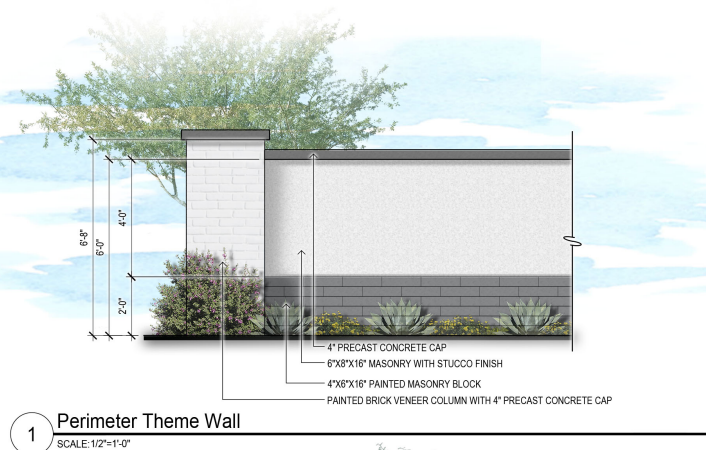
**LENNAR**

**BELLAMY**

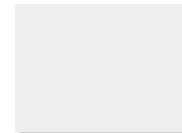
Greenfield & Germann  
 Corner Enhancement

date: 10.10.18

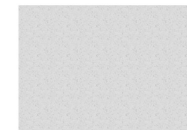
**andersonbaron**  
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 ph. 480.699.7956 f. 480.699.7986



MASONRY COLOR:  
DUNN EDWARDS SHEET METAL



STUCCO:  
DUNN EDWARDS CRYSTAL BELL



NATURAL GRAY CONCRETE



MAILBOX CLUSTER



CREATIVE MINES -  
WHITE PAINTED BRICK



RESTROOM BUILDING  
ARCHITECTURAL CHARACTER THEME TO MATCH  
SITE CHARACTER IMAGE FOR REFERENCE ONLY



BOLLARD LIGHTING



GP18-12/Z18-26 Bellamy  
Attachment 11: Open Space Plan  
December 5, 2018

Site Data		
Gross Ac.	40.04 Ac.	4.12 DU/Ac.
Net Ac.	35.68 Ac.	4.62 DU/Ac.
Open Space	8.12 Ac.	22.76%
Current Zoning	SF-6, CC	
Proposed Zoning	SFD	
Unit	Quantity	Mix
46' x 82' "Casitas"	91	55.2%
55' x 120'	74	44.8%
<b>Total</b>	<b>165</b>	<b>100.0%</b>

50' x 250' Arterial  
Corner Landscape  
Setback

460 sq.ft  
Encroachment

